

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

CURTIS M. PARKS,	§	
Plaintiff,	§	
	§	
v.	§	Civil No. 7:09-CV-0075-O
	§	ECF
COUNTY OF LOS ANGELES CHILD	§	
SUPPORT SERVICES DIVISION, et al,	§	
Defendant.	§	

ORDER ACCEPTING FINDINGS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE

After reviewing the Findings, Conclusions, and Recommendation of the United States Magistrate Judge (Doc. # 12) and Plaintiff's Response thereto (Doc. # 13), and in accordance with 28 U.S.C. § 636(b)(1), the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court. Specifically, the Court concludes that dismissal without prejudice is appropriate, as was recommended by the Magistrate Judge, under Federal Rule of Civil Procedure 12 (b)(6) as failing to state a cause of action upon which relief may be granted. In doing so, the Court declines to accept the recommendation of the Magistrate Judge, offered in the alternative, to transfer this action to the Western Division of the Central District of California under authority of 28 U.S.C. § 1404. Consequently, the Court denies Plaintiff's Response to the Recommendation of the U.S. Magistrate Judge (Doc. # 13), insofar as it is construed as a motion to transfer this case.

SO ORDERED this 30<sup>th</sup> day of September, 2009.

  
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Reed O'Connor  
UNITED STATES DISTRICT JUDGE